

SCANNED  
DATE: 9/24/04  
BY: [signature]

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

FILED  
100  
SEP 23 12:21  
U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**PAN AMERICAN AIRWAYS CORP.,**

**Plaintiff/Counter-Defendant**

**v.**

**ROBERT E. BARNES**

**Defendant/Counter-Plaintiff**

**Case No. 04-CV-10515JLT**

**MOTION FOR SUMMARY JUDGMENT ON COUNTS I AND IV OF  
PLAINTIFF/COUNTER-DEFENDANT'S AMENDED COMPLAINT.**

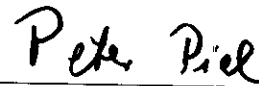
NOW COMES Defendant/Counter-Plaintiff, Robert E. Barnes, by and through his attorney, and hereby moves this Court, pursuant to Fed. R. Civ. P. 56(c) and Local Rule 56.1, to grant summary judgment for the Defendant/Counter-Plaintiff's on Counts I and IV of Plaintiff/Counter-Defendant's amended complaint.

This motion is supported by Defendant/Counter-Plaintiff's Memorandum of Law and Defendant/Counter-Plaintiff's Affidavit.

Pursuant to Local Rule 7.1(A)(2), counsel hereby certifies that he and counsel for the Plaintiff/Counter-Defendant have conferred and attempted in good faith to resolve or narrow the issue.

Respectfully submitted,

Dated: September 21, 2004

A handwritten signature in black ink that reads "Peter Piel". The signature is written in a cursive style with a horizontal line underneath it.

Peter Piel  
Law Office of Peter Piel  
800 Turnpike Street, Suite 300  
North Andover, MA 01845  
978-794-5513  
BBO # 639070